

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE NATIONAL COLLEGIATE
ATHLETIC ASSOCIATION STUDENT-
ATHLETE CONCUSSION INJURY
LITIGATION**

MDL No. 2492

Master Docket No. 1:13-cv-09116

**This Documents Relates To:
All Cases**

Judge John Z. Lee

Magistrate Judge Geraldine Soat Brown

DECLARATION OF JAY EDELSON

I, Jay Edelson, pursuant to 28 U.S.C. § 1746, hereby declare on oath as follows:

1. I am the Founder & CEO of the law firm of Edelson PC, which has been retained to represent Objector Anthony Nichols in this matter. I am over the age of eighteen and am fully competent to make this declaration. I make this declaration based upon person knowledge unless otherwise indicated. If called upon to testify as to the matters stated herein, I could and would competently do so.

2. In late 2013 Anthony Nichols retained my firm to represent him in a personal-injury suit against the NCAA related to head injuries sustained while Nichols played football at San Diego State University from 1989 to 1992.

3. Over the course of this litigation, my firm, along with attorneys at Gordon Law Offices, Ltd. and Clifford Law Offices, P.C. (who represent former named plaintiff, now objector, Adrian Arrington), successfully raised, on behalf of Mr. Nichols, a number of objections to the various settlements proposed by Class Counsel and the NCAA. As set out in Mr. Nichols' Petition for and Memorandum in Support of an Award of Attorneys' Fees and

Service Award, my firms' efforts in this matter led to substantial improvements to the settlement that earned preliminary approval from the Court.

4. As detailed in the chart below, to date attorneys representing Mr. Nichols have logged 3002.23 hours in uncompensated time advancing objections on behalf of Mr. Nichols, resulting in a total balance of \$1,463,563.75 in attorneys' fees, exclusive of costs. In addition, the chart reflects the level of experience, billable rates, and the hours each attorney listed worked on this matter.

ATTORNEY (Position)	YEARS OF EXPERIENCE	HOURS	HOURLY RATE	TOTAL
EDELSON PC				
Jay Edelson (Founder & CEO)	20	505.0	\$725	\$366,125.00
Rafey Balabanian (Managing Partner)	12	211.5	\$625	\$132,187.50
Steven Woodrow (Former Partner)	12	135.4	\$570	\$77,178.00
Ryan Andrews (Partner)	12	46.8	\$610	\$28,548.00
Ari Scharg (Partner)	8	389.6	\$540	\$210,384.00
Ben Thomassen (Associate)	6	475.0	\$390	\$201,875.00
John Ochoa (Former Associate)	6	50.3	\$390	\$19,617.00
Alicia Hwang (Former Associate)	5	40.4	\$350	\$14,140.00
Mark Eisen (Former Associate)	4	233.68	\$335	\$78,282.80

ATTORNEY (Position)	YEARS OF EXPERIENCE	HOURS	HOURLY RATE	TOTAL
Aaron Lawson (Associate)	4	109.8	\$350	\$38,430.00
Jacqueline Maglio (Former Staff Attorney)	2	26.84	\$295	\$7,917.80
Todd Logan (Former Associate)	1	177.0	\$270	\$47,790.00
Jennifer Lee (Former Associate)	1	45.1	\$250	\$11,275.00
Law Clerks	n/a	180.81	\$215	\$38,874.15
TOTALS	2627.23 hours			\$1,272,624.25
GORDON LAW OFFICES, LTD. ¹				
Richard Gordon (Partner)	15	257.4	\$575	\$148,005.00
Alex Chez (Associate)	1	59.6	\$245	\$14,602.00
Robert Albrecht (Associate)	5	2.1	\$475	\$997.50
Min Hye Sim (Associate)	3	30.4	\$395	\$12,008.00
TOTALS	349.5 hours			\$175,612.50
CLIFFORD LAW OFFICES, P.C. ²				
Shannon McNulty (Partner)	12	25.5	\$600	\$15,300.00
TOTALS	25.5 hours			\$15,300.00
COMBINED TOTAL	3002.23 hours			\$1,463,536.75

5. The attorney rates used to calculate my firm's base lodestar are comparable to those charged by attorneys with equivalent experience, skill, and reputation for similar services in the Chicago legal market, as well as other comparable markets throughout the country.

¹ A separate declaration attesting to this time will be submitted by a representative of Gordon Law Offices, Ltd.

² A separate declaration attesting to this time will be submitted by Shannon McNulty.

6. It is the policy of Edelson PC that attorneys are responsible for keeping track of their billable time by at least the tenth of the hour through billing management software known as “FreshBooks.” We have carefully reviewed the reports generated by this software and have removed entries of time deemed to be unnecessary or duplicative. In my opinion, the expenditure of time by the attorneys and law clerks at Edelson PC that worked on this matter is reasonable.

7. Although Edelson PC is primarily a plaintiff’s class action firm, we also represent clients on an hourly basis in complex litigation in other matters from time to time, including the defense of certain non-consumer class actions and litigation of complex business disputes. The hourly rates used to calculate the lodestar figure are the same as those charged to our firm’s hourly paying clients. Moreover, when Edelson PC brings cases on behalf of individual clients on a contingent basis, it charges a 33 1/3%, plus expenses. My Firm’s rates have been approved by state and federal courts across the country as reasonable.

I declare under penalty of perjury that the foregoing is true and correct.

Date: January 13, 2017

/s/ Jay Edelson
Jay Edelson